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Nicholas Graham Niell

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KNOBBE MARTENS OLSON & BEAR LLP  
2040 MAIN STREET  
FOURTEENTH FLOOR  
IRVINE, CA 92614

EXAMINER

BELANI, KISHIN G

ART UNIT

PAPER NUMBER

2143

NOTIFICATION DATE

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ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

jcartee@kmob.com

eOAPilot@kmob.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/748,719	<b>Applicant(s)</b> NIELL ET AL.	
	<b>Examiner</b> KISHIN G. BELANI	<b>Art Unit</b> 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-11 and 13-57 is/are pending in the application.
- 4a) Of the above claim(s) 46-53 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-11 and 13-45 and 54-57 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This action is in response to Applicants' amendment filed on 1/17/2008.

**Independent Claims 1, 19, 37-40 and 45 have been amended. Independent claims 41-44 are presented in their original form. Dependent claim 2 has also been amended. Dependent claims 3 and 12 have been cancelled. Dependent claims 4, 5, 7-10, 15-18, 20-29 and 33-36 are presented in their original form. Dependent claims 6, 11, 13, 14, and 30-32 are presented with minor modifications. New independent claims 46 and 50 have been added. Also, new dependent claims 47-49, and 51-57 have been added. Claims 1, 2, 4-11, 13-57 are now pending in the present application. The applicants' amendments to claims are shown in ***bold and italics***, and the examiner's response to the amendments is shown in **bold** in this office action. This Action is made FINAL.**

### ***Election/Restrictions***

Newly submitted **claims 46-53** are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

**New claims 46-53** are specifically directed towards a different invention including separate utilities such as the use of **replica database** that was not mentioned in any of the previous claims 1-45. The examination of these new claims would require different and separate search than previously conducted for claims 1-45.

Since applicants have received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, **claims 46-53 are withdrawn** from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 7** recites the limitation "satellite units" in line 1. There is insufficient antecedent basis for this limitation in the claim.

**Claim 18** recites the limitation "satellite units" in line 2. There is insufficient antecedent basis for this limitation in the claim.

For the sake of furthering the prosecution, the examiner has interpreted "satellite units" to mean "remote units".

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1, 2, 4, 5, 10, 11, 13-16, 19, 20, 22, 23, 27, 28, 31-34, 37-40 and 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Kang (U.S. Patent Application Publication 2001/0049728 A1).**

Consider **claim 1**, Kang shows and discloses a media file distribution system **(Abstract that discloses an Electronic Music Distribution (EMD) service system producing music files in SMIL format under a network environment; Fig. 1 that shows the details of the system 100, including a user computer 100, other user's computer 180, a web server 140, a streaming server 160 and a file database 150; paragraphs 0021-0023 further describe the details of the system)**, comprising: a media server *comprising a media file database configured to store one or more media files, and a first wireless communication device* (Fig. 1, streaming server 160 and file database 150; paragraphs 0021-0023 describe the same details; paragraph 0044 which further discloses that user computers 100-180 shown in Fig. 1 may be replaced by Personal Digital Assistants (PDA) or mobile communication terminals, thereby disclosing use of a wireless communication system); and one or more satellite *remote* units (Fig. 1, remote user computers 100-180; paragraphs 0021-0022 disclose the same details), *each remote unit comprising a second wireless communication device* (paragraph 0044 which further discloses that user computers 100-180 shown in Fig. 1 may be replaced by Personal Digital Assistants (PDA) or mobile

**communication terminals, thereby disclosing use of a wireless communication system),**

*wherein each of the remote units is configured to upload a media file to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process), and wherein each of the remote units is configured to initiate the playing of a media file stored on the media server such that the media file is played at the remote unit (Fig. 1, SMIL player 106-184 and web browser 108-182 that are configured to play the streaming music video from the streaming server 160; flowchart of Fig. 2, steps 214-216; paragraph 0032 discloses the same details).*

Consider **claim 2**, and **as it applies to claim 1 above**, Kang shows and discloses the claimed system, including a wireless mobile computing device (Fig. 1, user computer 100; paragraph 0044 which discloses that user computers 100-180 shown in Fig. 1 may be replaced by Personal Digital Assistants (PDA) or mobile communication terminals, thereby disclosing use of a wireless communication system) comprising:  
a processor; a display; and a memory (a PDA or a mobile communication terminal includes a processor, a display and a memory as standard hardware components),

wherein the wireless mobile computing device is ~~arranged~~ **configured** to run management software that interfaces with the components of the media server, the one or more ~~satellite~~ **remote** units, and the wireless mobile computing device (**Fig. 1, web browser 108 that is configured to run management software that interfaces with the media server, the one or more remote units 180 and the wireless mobile computing device 100; paragraph 0013 further discloses the details of the interface**),

wherein the management software on the wireless mobile computing device ~~initiates~~ **is configured to initiate the playing of a media file stored on the media server such that the media file is played at the remote unit** (Fig. 1; paragraph 0013 which discloses that another user (different from user of computer 100) can access the SMIL music video files stored in the database 150 through the same (user computer 100's) web browser 108, thereby disclosing that the management software 108 on the wireless mobile computing device 100 ~~initiates~~ **is configured to initiate the playing of a media file stored on the media server 160 such that the media file is played at the remote unit 184**).

Consider **claim 4**, and **as it applies to claim 1 above**, Kang discloses the claimed invention, wherein the media server further comprises a first media file transfer module configured to transfer one or more media files stored on a first medium to a second medium (**Fig. 1 which shows that the audio, video and text files residing in a user computer 100's memory and comprising the inputs for a music video being**

**produced by the user, are transferred by the SMIL Upload Unit 142 from a first medium (stored in the memory of computer 100) to a second medium (hard discs of database 150); paragraphs 0023 and 0026 further disclose the same details).**

Consider **claim 5** and **as it applies to claim 4 above**, Kang discloses the claimed system, wherein the media server further comprises a media file converter configured to convert the one or more transferred media files from an original format to a format other than the original format (**Fig. 1 which shows an HTML generating unit 144 that converts the SMIL format files of the music video into HTML based files; paragraph 0030 discloses the same details).**

Consider **claim 10**, and **as it applies to claim 1 above**, Kang further discloses the claimed system, wherein the media files are downloaded from the Internet (**Fig. 1 which shows that the web server 140 downloads the media files from the Internet 120; paragraph 0022 discloses the same details).**

Consider **claim 11** and **as it applies to claim 1 above**, Kang discloses the system of the claimed invention, wherein the media file store **database** is **on** a hard disk drive (**paragraph 0023 discloses the same details).**

Consider **claim 13**, and **as it applies to claim 1 above**, Kang further discloses the claimed system, wherein the media files ~~are~~ **comprise** music files (**Abstract that**



**describes an electronic music distribution (EMD) service system processing music video files; Fig. 1 that shows audio files as one of the inputs to the SMIL Editing Unit 102; paragraphs 0021 and 0026 describe the same details).**

Consider **claim 14**, and **as it applies to claim 1 above**, Kang discloses a system for distributing media files, wherein the media files ~~are~~ **comprise** video files **(Abstract that describes an electronic music distribution (EMD) service system processing music video files; Fig. 1 that shows video files as one of the inputs to the SMIL Editing Unit 102; paragraphs 0021 and 0026 describe the same details).**

Consider **claim 15** and **as it applies to claim 1 above**, Kang further discloses the claimed system, wherein the media files are compression coded **(paragraph 0032 that discloses use of special compression technology for distributing the media files).**

Consider **claim 16**, and **as it applies to claim 2 above**, Kang further discloses the claimed system of distributing media files, wherein the wireless mobile computing device is a personal digital assistant **(paragraph 0044 which discloses that the wireless mobile computing device can be a personal digital assistant).**

Consider **claim 19**, Kang shows and discloses a method of distributing media files **(Abstract that discloses an Electronic Music Distribution (EMD) service**

**producing music files in SMIL format under a network environment; Fig. 1 that shows the details of the distribution method, including a user computer 100, other user's computer 180, a web server 140, a streaming server 160 and a file database 150; paragraphs 0021-0023 further describe the details of the method), comprising:**

**storing media files in a media file store on a media server (Fig. 1 that shows a File DB 150 wherein a streaming server 160 stores media files; paragraphs 0023 that discloses the same details);**

**setting up one or more wireless communication channels between the media server and one or more satellite units (paragraph 0044 which discloses that a mobile (wireless) communication interface can be set up between the media server 160 and one or more satellite units (user computer 100 in Fig. 1 that may be substituted by a PDA)), and**

**initiating the playing of a media file stored on the media server such that the media file is played at the one or more satellite units (Fig. 1 that shows a music video (SMIL) player at the user computer 100 (satellite unit), receiving streaming music video file from the media server 160, the music file having been stored in the File DB 150; flowchart of Fig. 2, steps 214-216 that show the same details; paragraphs 0023 and 0026 further describe the same details);**

***uploading another media file from the one or more satellite units to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and***

then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process); *and storing the uploaded media file at the media file server* (Fig. 1, File DB 150 used to store uploaded media files; paragraph 0023 describes the File DB in more details).

Consider **claim 20**, and **as it applies to claim 19 above**, Kang further shows and discloses the method of claimed invention, including setting up one or more wireless communication channels between the media server, the one or more satellite units and a wireless mobile computing device (**paragraph 0044 which discloses that user computers 100-180 shown in Fig. 1 may be replaced by Personal Digital Assistants (PDA) or mobile communication terminals, thereby disclosing setting up one or more wireless communication channels between the media server 140, the one or more satellite units 100 and a wireless mobile computing device 180**); and initiating the playing of the media file using management software executed on the wireless mobile computing device (**Fig. 1, web browser 108 that is configured to run management software on the wireless mobile computing device (a PDA replacing the user computer shown in Fig. 1)**); paragraph 0013 further discloses that the user of computer 100 can access the SMIL music video files stored in the database 150 through the web browser 108 and play it on the SMIL Player 106; flowchart of Fig. 2, steps 214-216 and paragraph 0026 disclose that the management software 108 (web browser) on the wireless mobile computing

**device 100 initiates is configured to initiate the playing of a media file stored on the media server 160 such that the media file is played at the remote unit 106).**

Consider **claim 22**, and **as it applies to claim 19 above**, Kang further discloses the claimed method, including transferring one or more media files from a first medium onto a second medium using a first media file transfer module on the media server (**Fig. 1 which shows that the audio, video and text files residing in a user computer 100's memory and comprising the inputs for a music video being produced by the user, are transferred by the SMIL Upload Unit 142 from a first medium (stored in the memory of computer 100) to a second medium (hard discs of database 150); paragraphs 0023 and 0026 further disclose the same details).**

Consider **claim 23** and **as it applies to claim 22 above**, Kang discloses the claimed method, further comprising converting one or more transferred media files from an original format to a format other than the original format (**Fig. 1 which shows an HTML generating unit 144 that converts the SMIL format files of the music video into HTML based files; paragraph 0030 discloses the same details).**

Consider **claim 27**, and **as it applies to claim 19 above**, Kang further discloses the claimed method, further comprising downloading the one or more media files from the Internet before storing the one or more media files in the media file store (**Fig. 1**

**which shows that the web server 140 downloads the media files from the Internet 120; paragraph 0022 discloses the same details).**

Consider **claim 28** and **as it applies to claim 19 above**, Kang discloses the method of the claimed invention, wherein the media file ~~store~~ **database** is **on** a hard disk drive (**paragraph 0023 discloses the same details**).

Consider **claim 31**, and **as it applies to claim 19 above**, Kang further discloses the claimed method, wherein the media files are **comprise** music files (**Abstract that describes an electronic music distribution (EMD) service system processing music video files; Fig. 1 that shows audio files as one of the inputs to the SMIL Editing Unit 102; paragraphs 0021 and 0026 describe the same details**).

Consider **claim 32**, and **as it applies to claim 19 above**, Kang discloses a method for distributing media files, wherein the media files are **comprise** video files (**Abstract that describes an electronic music distribution (EMD) service system processing music video files; Fig. 1 that shows video files as one of the inputs to the SMIL Editing Unit 102; paragraphs 0021 and 0026 describe the same details**).

Consider **claim 33** and **as it applies to claim 19 above**, Kang further discloses the claimed method, wherein the media files are compression coded (**paragraph 0032**

**that discloses use of special compression technology for distributing the media files).**

Consider **claim 34**, and **as it applies to claim 20 above**, Kang further discloses the claimed method of distributing media files, wherein the wireless mobile computing device is a personal digital assistant **(paragraph 0044 which discloses that the wireless mobile computing device can be a personal digital assistant).**

Consider **claim 37**, Kang shows and discloses a media server for use in a media file distribution system comprising one or more satellite units **(Abstract that discloses a streaming (media) server for an Electronic Music Distribution (EMD) service system producing music files in SMIL format under a network environment; Fig. 1 that shows the details of the system, including a user computer 100 (acting as a satellite unit), other user's computer 180, a web server 140, a streaming server 160 and a file database 150; paragraphs 0021-0023 further describe the details of the system)**, the media server comprising:

a media file store configured to store one or more media files **(Fig. 1 that shows a File DB 150 (media file store) wherein a streaming server 160 stores media files; paragraphs 0023 that discloses the same details); and**

a first wireless communication device **(paragraph 0044 which discloses that mobile communication terminals may be used, thereby disclosing use of a wireless**

**communication system and a first wireless communication device for the web server 140),**

wherein the one or more satellite units ***each*** comprise a second wireless communication device (**paragraph 0044 which further discloses that user computers 100-180 shown in Fig. 1 may be replaced by Personal Digital Assistants (PDA) or mobile communication terminals, thereby disclosing use of a second wireless communication device),**

***wherein each of the satellite units is configured to upload a media file to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process), and wherein each of the satellite units is configured to initiate the playing of a media file stored on the media server such that the media file is played at the satellite unit*** ~~and a first output device for playing the one or more media files stored on the media file store~~ **(Fig. 1, SMIL player 106 and web browser 108 that are configured to play the streaming music video from the streaming server 160; flowchart of Fig. 2, steps 214-216; paragraph 0032 discloses the same details).**

Consider **claim 38**, Kang shows and discloses a media server for use in a method of distributing media files (**Abstract that discloses a streaming (media) server for an Electronic Music Distribution (EMD) service producing music files in**

**SMIL format under a network environment; Fig. 1 that shows the details of the method, including a user computer 100 (acting as a satellite unit), other user's computer 180, a web server 140, a streaming server 160 and a file database 150; paragraphs 0021-0023 further describe the details of the method), the method comprising:**

**storing media files in a media file store on the media server (Fig. 1 that shows a File DB 150 (media file store) wherein a streaming server 160 stores media files; paragraphs 0023 that discloses the same details);**

**setting up one or more wireless communication channels between the media server and one or more satellite units (paragraph 0044 which discloses that user computers 100-180 shown in Fig. 1 may be replaced by Personal Digital Assistants (PDA) or mobile communication terminals, thereby disclosing one or more wireless communication channels between the media server and one or more satellite units); and**

**initiating the playing of a media file stored on the media server such that the media file is played at the one or more satellite units (Fig. 1, SMIL player 106 and web browser 108 that are configured to play the streaming music video from the streaming server 160; flowchart of Fig. 2, steps 214-216; paragraph 0032 discloses the same details);**

***uploading another media file from the one or more satellite units to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and***



then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process); *and storing the uploaded media file at the media file server* (Fig. 1, File DB 150 used to store uploaded media files; paragraph 0023 describes the File DB in more details).

Consider **claim 39**, Kang shows and discloses a satellite unit for use in a media file distribution system comprising a media server and one or more satellite units (Abstract that discloses a user computer 100 (satellite unit) for an Electronic Music Distribution (EMD) service system producing music files in SMIL format under a network environment; Fig. 1 that shows the details of the system, including a user computer 100 (acting as a satellite unit), other user's computer 180, a web server 140, a streaming server 160 and a file database 150; paragraphs 0021-0023 further describe the details of the system); wherein the media server comprises a media file store configured to store one or more media files (Fig. 1 that shows a File DB 150 (media file store) wherein a streaming server 160 stores media files; paragraphs 0023 that discloses the same details), and a first wireless communication device (paragraph 0044 which discloses that mobile communication terminals may be used, thereby disclosing use of a wireless communication system and a first wireless communication device for the web server 140); and

wherein the one or more satellite units ***each*** comprise a second wireless communication device (**paragraph 0044 which further discloses that user computers 100-180 shown in Fig. 1 may be replaced by Personal Digital Assistants (PDA) or mobile communication terminals, thereby disclosing use of a second wireless communication device**),

***wherein each of the satellite units is configured to upload a media file to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process), and***

***wherein each of the satellite units is configured to initiate the playing of a media file stored on the media server such that the media file is played at the satellite unit (Fig. 1, SMIL player 106 and web browser 108 that are configured to play the streaming music video from the streaming server 160; flowchart of Fig. 2, steps 214-216; paragraph 0032 discloses the same details).***

Consider **claim 40**, Kang shows and discloses a satellite unit for use in a method of distributing media files (**Abstract that discloses a user computer 100 (satellite unit) for an Electronic Music Distribution (EMD) service producing music files in SMIL format under a network environment; Fig. 1 that shows the details of the method, including a user computer 100 (acting as a satellite unit), other user's computer 180, a web server 140, a streaming server 160 and a file database 150;**

**paragraphs 0021-0023 further describe the details of the method), the method comprising:**

**storing media files in a media file store on the a media server (Fig. 1 that shows a File DB 150 (media file store) wherein a streaming server 160 stores media files;**

**paragraphs 0023 that discloses the same details);**

**setting up one or more wireless communication channels between the media server and one or more satellite units (paragraph 0044 which discloses that user computers 100-180 shown in Fig. 1 may be replaced by Personal Digital Assistants (PDA) or mobile communication terminals, thereby disclosing setting up one or more wireless communication channels between the media server and one or more satellite units); and**

**initiating the playing of a media file stored on the media server such that the media file is played at the one or more satellite units (Fig. 1, SMIL player 106 and web browser 108 that are configured to initiate playing the streaming music video from the streaming server 160; flowchart of Fig. 2, steps 214-216; paragraph 0032 discloses the same details);**

***uploading another media file from the one or more satellite units to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process); and***

***storing the uploaded media file at the media file server (Fig. 1, File DB 150 used to store uploaded media files; paragraph 0023 describes the File DB in more details).***

Consider **claim 45**, Kang shows and discloses a system for distributing media files (**Abstract that discloses an Electronic Music Distribution (EMD) service system producing music files in SMIL format under a network environment; Fig. 1 that shows the details of the distribution system, including a user computer 100, other user's computer 180, a web server 140, a streaming server 160 and a file database 150; paragraphs 0021-0023 further describe the details of the system**), comprising:

means for storing media files on a media server (**Fig. 1 that shows a File DB 150 wherein a streaming server 160 stores media files; paragraphs 0023 that discloses the same details**);

means for setting up one or more wireless communication channels between the media server and one or more satellite units (**paragraph 0044 which discloses that a mobile (wireless) communication interface can be set up between the media server 160 and one or more satellite units (user computer 100 in Fig. 1 that may be substituted by a PDA)**); and

means for initiating the playing of a media file stored on the media server such that the media file is played at the one or more satellite units (**Fig. 1 that shows a music video (SMIL) player at the user computer 100 (satellite unit), receiving streaming music**

video file from the media server 160, the music file having been stored in the File DB 150; flowchart of Fig. 2, steps 214-216 that show the same details; paragraphs 0023 and 0026 further describe the same details);

*means for uploading another media file from the one or more satellite units to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process); and means for storing the uploaded media files at the media file server (Fig. 1, File DB 150 used to store uploaded media files; paragraph 0023 describes the File DB in more details).*

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

Art Unit: 2152

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 6, 21 and 30** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kang (U.S. Patent Application Publication 2001/0049728 A1)** in view of **Atkinson (U.S. Patent Application Publication # 2001/0054180 A1)**.

Consider **claim 6**, and **as it applies to claim 4 above**, Kang discloses the claimed system, except wherein **at least one of** the first **medium** ~~or~~ **and the** second medium is an optical disk.

In the same field of endeavor, Atkinson shows and discloses a system for distributing media files, wherein **at least one of** the first **medium** ~~or~~ **and the** second medium is an optical disk (Fig. 2, Replenishment Interface 218; paragraph 0037, lines

17-29 that disclose transferring data from CD-ROM or DVD (optical disks) and storing them as files on the server).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide an optical disk as the first or the second storage medium, as taught by Atkinson, in the system of Kang, so that the media files may be accessed at high speed and storage capacity significantly increased.

Consider **claim 21**, and **as it applies to claim 19 above**, Kang discloses the claimed invention, except playing the one or more media files at the media server.

In the same field of endeavor, Atkinson shows and discloses a method for distributing media files, wherein the one or more media files stored in the media file store are played at the media server (Fig. 1, Monitors 140-148 and Speakers 150-158 connected to the media output ports of the LMM 130, thereby disclosing that one or more media files stored in the media file store are played at the media server; paragraph 0027, lines 11-21 that disclose the same details).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to play one or more media files at the media server, as taught by Atkinson, in the method of Kang, so that the general public can view the media files in a public space where the media server and the media playing devices connected to it are located.

Consider **claim 30**, and **as it applies to claim 22 above**, Kang discloses the claimed method, except wherein ***at least one of*** the first ***medium or and the*** second medium is an optical disk.

In the same field of endeavor, Atkinson shows and discloses a system for distributing media files, wherein ***at least one of*** the first ***medium or and the*** second medium is an optical disk (Fig. 2, Replenishment Interface 218; paragraph 0037, lines 17-29 that disclose transferring data from CD-ROM or DVD (optical disks) and storing them as files on the server).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide an optical disk as the first or the second storage medium, as taught by Atkinson, in the method of Kang, so that the media files may be accessed at high speed and storage capacity significantly increased.

**Claims 7, 8, 17, 24, 25 and 35** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kang (U.S. Patent Application Publication 2001/0049728 A1)**, in view of **Griffiths (International Application WO 01/47248 A2)**.

Consider **claim 7** and **as it applies to claim 1 above**, Kang discloses the claimed system, except wherein the one or more satellite ***remote*** units further comprise a second media file transfer module configured to transfer the one or more media files stored on a first medium to a second medium, and a media file converter configured to



convert the one or more transferred media files from an original format to a format other than the original format.

In the same field of endeavor, Griffiths, discloses a system wherein the one or more ~~satellite~~ **remote** units further comprise a second media file transfer module configured to transfer the one or more media files stored on a first medium to a second medium, and a media file converter configured to convert the one or more transferred media files from an original format to a format other than the original format (page 6, lines 10-16 that disclose capability to allow a user to direct streaming of multimedia content from one or more of the devices in the home environment to a remote user device over the Internet, e.g. a user can remotely control the recording of a program on video recorder 116, while also watching the program on a remote device outside of the home environment 110, thereby disclosing that one or more ~~satellite~~ **remote** units (TV and video recorder) further comprise a second media file transfer module configured to transfer the one or more media files stored on a first medium (TV's buffer with transmitted signals) to a second medium (Video recorder's recording medium), and a media file converter configured to convert the one or more transferred media files from an original format (TV signal) to a format other than the original format (video recorder format)).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide capability wherein the one or more ~~satellite~~ **remote** units further comprise a second media file transfer module configured to transfer the one or more media files stored on a first medium to a second medium, and

a media file converter configured to convert the one or more transferred media files from an original format to a format other than the original format, as taught by Griffiths, in the system of Kang, so as to provide maximum user control over the storage and playback of media files.

Consider **claim 8** and **as it applies to claim 7 above**, Kang discloses the claimed system, **including the use of mobile (wireless) communication devices (paragraph 0044), except (specifically showing in Fig. 1)** wherein the one or more converted media files are transferred to the media file store on the media server using the first and second wireless communication devices.

In the same field of endeavor, Griffiths, **shows and** discloses a system wherein the one or more converted media files are transferred to the media file store on the media server using the first and second wireless communication devices (Fig. 1, Central Server 130 and wireless device 160 with the first and second wireless communication devices respectively, wherein the device 160 can send commands wirelessly to transfer converted media files for storage on the server; page 5, lines 26-33 that disclose the same details);

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to disclose a media file converter configured to convert the one or more transferred media files from an original format to a format other than the original format, as taught by Griffiths, in the system of Kang, so that the stored file occupies less storage and is capable of being played by available media player devices.

Consider **claim 17**, and **as it applies to claim 2 above**, Kang, as modified by Griffiths, further discloses a system of distributing media files, wherein the wireless mobile computing device is a notebook computer (in Griffiths reference, page 4, lines 1-3 which disclose that the wireless mobile computing device 112 may be a palmtop computer or other type of processor based device, communicating wirelessly via a local area wireless network).

Consider **claim 24** and **as it applies to claim 19 above**, Kang discloses the claimed method, except further comprising transferring media files from a first medium onto a second medium using a first media file transfer module on the one or more satellite units, and converting one or more transferred media files from an original format to a format other than the original format.

In the same field of endeavor, Griffiths, discloses a method further comprising transferring media files from a first medium onto a second medium using a first media file transfer module on the one or more satellite units, and converting one or more transferred media files from an original format to a format other than the original format (page 6, lines 10-16 that disclose capability to allow a user to direct streaming of multimedia content from one or more of the devices in the home environment to a remote user device over the Internet, e.g. a user can remotely control the recording of a program on video recorder 116, while also watching the program on a remote device outside of the home environment 110, thereby disclosing that one or more satellite units

(TV and video recorder) further comprise a second media file transfer module configured to transfer the one or more media files stored on a first medium (TV's buffer with transmitted signals) to a second medium (Video recorder's recording medium), and a media file converter configured to convert the one or more transferred media files from an original format (TV signal) to a format other than the original format (video recorder format)).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide capability wherein the one or more satellite units further comprise transferring media files from a first medium onto a second medium using a first media file transfer module on the one or more satellite units, and converting one or more transferred media files from an original format to a format other than the original format, as taught by Griffiths, in the method of Kang, so as to provide maximum user control over the storage and playback of media files.

Consider **claim 25** and **as it applies to claim 24 above**, Kang discloses the method of the claimed invention, except transferring the converted one or media files to the media file store using the one or more wireless communications channels.

In the same field of endeavor, Griffiths, discloses a method of transferring the converted one or media files to the media file store using the one or more wireless communications channels (Fig. 1, Central Server 130 and wireless device 160 with the first and second wireless communication devices respectively, wherein the device 160

can send commands wirelessly to transfer converted media files for storage on the server; page 5, lines 26-33 that disclose the same details).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to disclose transferring the converted one or media files to the media file store using the one or more wireless communications channels, as taught by Griffiths, in the method of Kang, so that the stored file occupies less storage and is capable of being played by available media player devices.

Consider **claim 35**, and **as it applies to claim 20 above**, Kang, as modified by Griffiths, further discloses a method of distributing media files, wherein the wireless mobile computing device is a notebook computer (in Griffiths reference, page 4, lines 1-3 which disclose that the wireless mobile computing device 112 may be a palmtop computer or other type of processor based device, communicating wirelessly via a local area wireless network).

**Claims 9, 26 and 29** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kang (U.S. Patent Application Publication 2001/0049728 A1)** in view of **Goldberg et al. (U.S. Patent Publication # 7,100,191 B1)**.

Consider **claim 9** and **as it applies to claim 1 above**, Kang discloses the claimed system, except wherein the media server further comprises a router configured to route data associated with the one or more media files to an external data source and

receive further data associated with the one or more media files from the external data source.

In the same field of endeavor, Goldberg et al., disclose a system wherein the media server further comprises a router configured to route data associated with the one or more media files to an external data source and receive further data associated with the one or more media files from the external data source (column 4, lines 43-47 that disclose use of a local server configured to act as a router between devices 202 and media server 204, routing media files between wireless devices 202 and the media server).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to configure a router for transferring media data between the wireless mobile devices and a media server, as taught by Goldberg et al., in the system of Kang, so that the media files can be transferred quickly by using a dedicated router.

Consider **claim 26** and **as it applies to claim 19 above**, Kang discloses the method of the claimed invention, except routing data associated with the media file to an external data source, and receiving further data associated with the media file from the external data source.

In the same field of endeavor, Goldberg et al., disclose a method of routing data associated with the media file to an external data source, and receiving further data associated with the media file from the external data source (column 4, lines 43-47 that

disclose use of a local server configured to act as a router between devices 202 and media server 204, routing media files between wireless devices 202 and the media server).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide for routing data associated with the media file to an external data source; and receiving further data associated with the media file from the external data source, as taught by Goldberg et al., in the method of Kang, so that the media files can be transferred quickly by using a dedicated router.

Consider **claim 29** and **as it applies to claim 19 above**, Kang discloses the method of distributing media files of the claimed invention, except wherein the media files are stored in a database format.

In the same field of endeavor, Goldberg et al., disclose a method of distributing media files, wherein the media files are stored in a database format (Fig. 7, database 704; column 10, lines 18-20 that disclose a database within the server 204; column 13, lines 2-5 that disclose media data being uploaded from a device 202 to the database 704 of the server 204).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to store the media files in a database format, as taught by Goldberg et al., in the method of Kang, so that they can be easily accessed by simple queries.

**Claims 18 and 36** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Kang (U.S. Patent Application Publication 2001/0049728 A1)** in view of **Katz et al. (U.S. Patent Application Publication # 2002/0107941 A1)**.

Consider **claim 18** and **as it applies to claim 2 above**, Kang discloses the claimed system, except wherein data and media files sent between the media server, the one or more ~~satellite~~ **remote** units, and the wireless mobile computing device are encrypted.

In the same field of endeavor, Katz et al., disclose a system wherein data and media files sent between the media server, the one or more ~~satellite~~ **remote** units, and the wireless mobile computing device are encrypted (paragraph 0039 which discloses that the library server 260 uses encryption protocol while interfacing with the client computer system 214).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use encryption for data and media files sent between the media server, the one or more satellite units, and the wireless mobile computing device, as taught by Katz et al., in the system of Kang, so that a secure mode of media file transfer can be provided.

Consider **claim 36** and **as it applies to claim 20 above**, Kang discloses the claimed method, except wherein data and media files sent between the media server, the one or more satellite units, and the wireless mobile computing device are encrypted.



In the same field of endeavor, Katz et al., disclose a method wherein data and media files sent between the media server, the one or more satellite units, and the wireless mobile computing device are encrypted (paragraph 0039 which discloses that the library server 260 uses encryption protocol while interfacing with the client computer system 214).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use encryption for data and media files sent between the media server, the one or more satellite units, and the wireless mobile computing device, as taught by Katz et al., in the method of Kang, so that a secure mode of media file transfer can be provided.

**Claims 41 and 43** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Naden (International Application WO 01/56297 A1)** in view of **Griffiths (International Application WO 01/47248 A2)** and further in view of **Goldberg et al. (U.S. Patent Publication # 7,100,191 B1)**.

Consider **claim 41**, Naden shows and discloses a media file distribution system comprising:

a media server and one or more satellite units (Fig. 1, Master STB (MSTB) 110 acting as a media server for distributing media files; Slave STB (SSTB) 116 acting as one or more satellite units; page 5, lines 8-25 that disclose the method for distributing media files);

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wherein the media server comprises a media file store configured to store one or more media files (Fig. 4, Video Memory System (VMS) block 402; page 11, lines 23-26 that disclose the details of VMS, which is used for storing media files on the media server); a first wireless communication device (Fig.1, MSTB antenna 124; page 5, lines 15-19 that disclose a base station radio transceiver used as a first wireless communication device; Fig.2, Wireless protocol 212 and Base Station Radio Transceiver 214; page 6, lines 16-18 that disclose the same details); and

wherein the one or more satellite units comprise a second wireless communication device and a first output device for playing the one or more media files stored on the media server (Fig.1, SSTB antennae 124; page 5, lines 17-21 that disclose a wireless interface between the MSTB base station radio transceiver and SSTB radio transceiver that comprises a second wireless communication device, and local TV 114 used as a first output device for playing the one or more media files stored on the media file store; Fig.3, Wireless protocol 304 and Mobile Radio Transceiver 302; page 10, lines 11-13 that disclose the same details).

However, Naden does not explicitly disclose a wireless mobile computing device in the media file distribution system, wherein the wireless mobile computing device is configured to run management software that interfaces with the components of the media server, the one or more satellite units, and the wireless mobile computing device, wherein the management software initiates the one or more media files stored on the media server to be played at the one or more satellite units.

In the same field of endeavor, Griffiths shows and discloses a wireless mobile computing device in his media file distribution system; and wherein the wireless mobile computing device is configured to run management software that interfaces with the components of the media server, the one or more satellite units, and the wireless mobile computing device, wherein the management software initiates the one or more media files stored on the media server to be played at the one or more satellite units (Fig. 1, Handheld Wireless Devices 112 and 160; page 3, lines 29-33 and page 4, lines 1-7; page 4, lines 22-27 that disclose a local and a remote wireless mobile computing device; page 3, lines 4-7 that disclose that the invention allows a given user to direct the delivery of multimedia content available on that user's home devices to other devices outside the home).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include one or more wireless mobile computing device in a media file distribution system, and configure the wireless mobile computing device to run management software that interfaces with the components of the media server, the one or more satellite units, and the wireless mobile computing device, wherein the management software initiates the one or more media files stored on the media server to be played at the one or more satellite units, as taught by Griffiths, in the wireless mobile computing device of Naden, so that the customers can access media content stored on the server from anywhere using their wireless mobile computing devices.

However, Naden, as modified by Griffiths, does not disclose that a wireless mobile computing device in the media file distribution system comprises a processor, a display, and a memory.

In the same field of endeavor, Goldberg et al. show and disclose that the wireless mobile computing device in his media file distribution system comprises:

a processor (Fig. 5, Processor block 510; column 5, lines 47-53);

a display (Fig. 5, Video Display block 504; column 5, lines 47-53);

a memory (Fig. 5, Memory block 512; column 5, lines 47-53).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a wireless mobile computing device comprising a processor, a display, and a memory, as taught by Goldberg et al., in the wireless mobile computing device of Naden, as modified by Griffiths, so as to provide interactive communication capability to the wireless mobile computing device for sending commands and receiving media information from the media server.

Consider **claim 43**, Naden shows and discloses a media file distribution system, wherein the media file distribution system comprises:

a media server (Fig. 1, Master STB (MSTB) 110 acting as a media server for distributing media files; page 5, lines 8-25 that disclose a system for distributing media files);

comprising:

a media file store configured to store one or more media files (Fig. 4, Video Memory System (VMS) block 402; page 11, lines 23-26 that disclose the details of VMS, which is used for storing media files on the media server); and

a first wireless communication device (Fig.1, MSTB antenna 124; page 5, lines 15-19 that disclose a base station radio transceiver used as a first wireless communication device; Fig.2, Wireless protocol 212 and Base Station Radio Transceiver 214; page 6, lines 16-18 that disclose the same details);

one or more satellite units comprising a second wireless communication device and a first output device for playing the one or more media files stored on the media server (Fig.1, SSTB antennae 124; page 5, lines 17-21 that disclose a wireless interface between the MSTB base station radio transceiver and SSTB radio transceiver that comprises a second wireless communication device, and local TV 114 used as a first output device for playing the one or more media files stored on the media file store; Fig.3, Wireless protocol 304 and Mobile Radio Transceiver 302; page 10, lines 11-13 that disclose the same details).

However, Naden does not explicitly disclose a portable storage medium configured to store management software in a medium file distribution system, nor does Naden disclose a wireless mobile computing device, wherein the wireless mobile computing device is configured to run the management software, wherein the management software interfaces with the components of the media server, the one or more satellite units, and the wireless mobile computing device, and wherein the

management software initiates the one or more media files stored on the media server to be played at the one or more satellite units.

In the same field of endeavor, Griffiths discloses a portable storage medium configured to store management software in a medium file distribution system (claim 18; page 8, lines 8-12 that disclose the details of the claim); a wireless mobile computing device in a media file distribution system (Fig. 1, Handheld Wireless Devices 112 and 160; page 3, lines 29-33 and page 4, lines 1-7; page 4, lines 22-27 that disclose a local and a remote wireless mobile computing device); and wherein the wireless mobile computing device is configured to run the management software, wherein the management software interfaces with the components of the media server, the one or more satellite units, and the wireless mobile computing device, and wherein the management software initiates the one or more media files stored on the media server to be played at the one or more satellite units (page 3, lines 4-7 that disclose that the invention allows a given user to direct the delivery of multimedia content available on that user's home devices to other devices outside the home).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a portable storage medium configured to store management software in a medium file distribution system; also include one or more wireless mobile computing device in a media file distribution system, and configure the wireless mobile computing device to run management software that interfaces with the components of the media server, the one or more satellite units, and the wireless mobile computing device, wherein the management software initiates the

one or more media files stored on the media server to be played at the one or more satellite units, as taught by Griffiths, in a portable storage medium of Naden, so that the customers can access media content stored on the server from anywhere using their wireless mobile computing devices.

However, Naden, as modified by Griffiths, does not disclose that a wireless mobile computing device in the media file distribution system comprises a processor, a display, and a memory.

In the same field of endeavor, Goldberg et al. show and disclose that the wireless mobile computing device in his media file distribution system comprises:

a processor (Fig. 5, Processor block 510; column 5, lines 47-53);

a display (Fig. 5, Video Display block 504; column 5, lines 47-53);

a memory (Fig. 5, Memory block 512; column 5, lines 47-53).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a wireless mobile computing device comprising a processor, a display, and a memory, as taught by Goldberg et al., in the portable storage medium of Naden, as modified by Griffiths, so as to provide interactive communication capability to the wireless mobile computing device for sending commands and receiving media information from the media server.

**Claims 42 and 44** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Naden (International Application WO 01/56297 A1)**, in view of **Griffiths (International Application WO 01/47248 A2)**.

Consider **claim 42**, Naden shows and discloses a method of distributing media files (Fig. 1, Master STB (MSTB) 110 acting as a media server for distributing media files; Slave STB (SSTB) 116 acting as one or more satellite units; page 5, lines 8-25 that disclose the method for distributing media files), the method comprising:

storing media files in a media file store on a media server (Fig. 4, Video Memory System (VMS) block 402; page 11, lines 23-26 that disclose the details of VMS, which is used for storing media files on the media server);

setting up one or more wireless communication channels between the media server and one or more satellite units (Fig.1, MSTB antenna 124; Fig. 4, Wireless protocol 212 and Base Station Radio Transceiver 214; page 5, lines 15-19 that disclose a base station radio transceiver used as a first wireless communication device; page 6, lines 16-18 that disclose the details of the first wireless communication device; Fig.1, SSTB antennae 124; page 5, lines 17-21 that disclose a wireless interface between the MSTB base station radio transceiver and SSTB radio transceiver that comprises a second wireless communication device, and local TV 114 used as a first output device for playing the one or more media files stored on the media file store; Fig.3, Wireless protocol 304 and Mobile Radio Transceiver 302; page 10, lines 11-13 that disclose the same details; thus disclosing setting up one or more wireless communication channels between the media server and one or more satellite units);

initiating the playing of a media file stored on the media server such that the media file is played at the one or more satellite units (page 11, lines 17-21 that disclose use of



remote control units to initiate the playing of a media file stored on the media server (MSTB) such that the media file is played at the one or more satellite units (local TVs 114));

However, Naden does not explicitly disclose a wireless mobile computing device in his media file distribution system, setting up one or more wireless communication channels between the media server, the one or more satellite units, and the wireless mobile computing device; and initiating the playing of the media file using management software executed on the wireless mobile computing device.

In the same field of endeavor, Griffiths shows and discloses a wireless mobile computing device in his media file distribution system (Fig. 1, Handheld Wireless Devices 112 and 160; page 3, lines 29-33 and page 4, lines 1-7; page 4, lines 22-27 that disclose a local and a remote wireless mobile computing device); setting up one or more wireless communication channels between the media server, the one or more satellite units, and the wireless mobile computing device (Fig. 1, Handheld Wireless Devices 112, TV 114, Video Recorder 116, Audio System 118, and PC 120 all wirelessly and communicatively coupled to the Central Server 130; page 3, lines 31-33 and page 4, lines 1-16 that disclose the same details); and initiating the playing of the media file using management software executed on the wireless mobile computing device (page 3, lines 4-7 that disclose that the invention allows a given user to direct the delivery of multimedia content available on that user's home devices to other devices outside the home by issuing commands to the server using the wireless mobile computing device).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a wireless mobile computing device in the media file distribution system, setting up one or more wireless communication channels between the media server, the one or more satellite units, and the wireless mobile computing device; and initiating the playing of the media file using management software executed on the wireless mobile computing device, as taught by Griffith, in the wireless mobile computing device of Naden, so that the customers can access media content stored on the server from anywhere using their wireless mobile computing devices.

Consider **claim 44**, Naden shows and discloses a method of distributing media files (Fig. 1, Master STB (MSTB) 110 acting as a media server for distributing media files; Slave STB (SSTB) 116 acting as one or more satellite units; page 5, lines 8-25 that disclose the method for distributing media files), the method comprising: storing media files in a media file store on a media server (Fig. 4, Video Memory System (VMS) block 402; page 11, lines 23-26 that disclose the details of VMS, which is used for storing media files on the media server); setting up one or more wireless communication channels between the media server and one or more satellite units (Fig.1, MSTB antenna 124; Fig. 4, Wireless protocol 212 and Base Station Radio Transceiver 214; page 5, lines 15-19 that disclose a base station radio transceiver used as a first wireless communication device; page 6, lines 16-18 that disclose the details of the first wireless communication device; Fig.1, SSTB antennae

124; page 5, lines 17-21 that disclose a wireless interface between the MSTB base station radio transceiver and SSTB radio transceiver that comprises a second wireless communication device, and local TV 114 used as a first output device for playing the one or more media files stored on the media file store; Fig.3, Wireless protocol 304 and Mobile Radio Transceiver 302; page 10, lines 11-13 that disclose the same details; thus disclosing setting up one or more wireless communication channels between the media server and one or more satellite units);  
initiating the playing of a media file stored on the media server such that the media file is played at the one or more satellite units (page 11, lines 17-21 that disclose use of remote control units to initiate the playing of a media file stored on the media server (MSTB) such that the media file is played at the one or more satellite units (local TVs 114)).

However, Naden does not explicitly disclose a portable storage medium configured to store management software for use in the method of distributing media files; nor does Naden disclose a wireless mobile computing device; setting up one or more wireless communication channels between the media server, the one or more satellite units, and the wireless mobile computing device; and initiating the playing of the media file using management software executed on the wireless mobile computing device.

In the same field of endeavor, Griffiths shows and discloses a portable storage medium configured to store management software in a medium file distribution system (claim 18; page 8, lines 8-12 that disclose the details of the claim);

a wireless mobile computing device in the method of the media file distribution system (Fig. 1, Handheld Wireless Devices 112 and 160; page 3, lines 29-33 and page 4, lines 1-7; page 4, lines 22-27 that disclose a local and a remote wireless mobile computing device);

setting up one or more wireless communication channels between the media server, the one or more satellite units, and the wireless mobile computing device (Fig. 1, Handheld Wireless Devices 112, TV 114, Video Recorder 116, Audio System 118, and PC 120 all wirelessly and communicatively coupled to the Central Server 130; page 3, lines 31-33 and page 4, lines 1-16 that disclose the same details); and

initiating the playing of the media file using management software executed on the wireless mobile computing device (page 3, lines 4-7 that disclose that the invention allows a given user to direct the delivery of multimedia content available on that user's home devices to other devices outside the home by issuing commands to the server using the wireless mobile computing device).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a portable storage medium configured to store management software in a media file distribution system; also include a wireless mobile computing device in the media file distribution system, setting up one or more wireless communication channels between the media server, the one or more satellite units, and the wireless mobile computing device; and initiating the playing of the media file using management software executed on the wireless mobile computing device, as taught by Griffith, in the wireless mobile computing device of Naden, so that the

customers can access media content stored on the server from anywhere using their wireless mobile computing devices.

**Claims 54 and 56** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Naden (International Application WO 01/56297 A1)** in view of **Griffiths (International Application WO 01/47248 A2)** and further in view of **Goldberg et al. (U.S. Patent Publication # 7,100,191 B1)** and further in view of **Kang (U.S. Patent Application Publication # 2001/0049728 A1)**.

Consider **claim 54**, and **as it applies to claim 41 above**, Naden, as modified by Griffiths and Goldberg et al. disclose the claimed wireless mobile computing device, except wherein each of the satellite units is configured to upload a media file to the media server, and wherein each of the satellite units is configured to initiate the playing of a media file stored on the media server such that the media file is played at the satellite unit.

In the same field of endeavor, Kang shows and discloses the claimed wireless mobile computing device, wherein each of the satellite units is configured to upload a media file to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process), and

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wherein each of the satellite units is configured to initiate the playing of a media file stored on the media server such that the media file is played at the satellite unit (Fig. 1 that shows a music video (SMIL) player at the user computer 100 (satellite unit), receiving streaming music video file from the media server 160, the music file having been stored in the File DB 150; flowchart of Fig. 2, steps 214-216 that show the same details; paragraphs 0023 and 0026 further describe the same details).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to configure each of the satellite unit to upload a media file to the media server, and to initiate the playing of a media file stored on the media server such that the media file is played at the satellite unit, as taught by Kang, in the wireless mobile computing device of Naden, as modified by Griffiths and Goldberg et al., so that the customers can access media content stored on the server from anywhere using their wireless mobile computing devices.

Consider **claim 56**, and **as it applies to claim 43 above**, Naden, as modified by Griffiths and Goldberg et al. disclose the claimed portable storage medium, except wherein each of the satellite units is configured to upload a media file to the media server, and wherein each of the satellite units is configured to initiate the playing of a media file stored on the media server such that the media file is played at the satellite unit.

In the same field of endeavor, Kang shows and discloses the claimed portable storage medium, wherein each of the satellite units is configured to upload a media file

to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process), and wherein each of the satellite units is configured to initiate the playing of a media file stored on the media server such that the media file is played at the satellite unit (Fig. 1 that shows a music video (SMIL) player at the user computer 100 (satellite unit), receiving streaming music video file from the media server 160, the music file having been stored in the File DB 150; flowchart of Fig. 2, steps 214-216 that show the same details; paragraphs 0023 and 0026 further describe the same details).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to configure each of the satellite unit to upload a media file to the media server, and to initiate the playing of a media file stored on the media server such that the media file is played at the satellite unit, as taught by Kang, in the portable storage medium of Naden, as modified by Griffiths and Goldberg et al., so that the customers can access media content stored on the server from anywhere using their wireless mobile computing devices.

**Claims 55 and 57** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Naden (International Application WO 01/56297 A1)**, in view of **Griffiths (International Application WO 01/47248 A2)** and further in view of **Kang (U.S. Patent Application Publication # 2001/0049728 A1)**.

Consider **claim 55**, and **as it applies to claim 42 above**, Naden, as modified by Griffiths, discloses the claimed wireless mobile computing device, including storing the uploaded media file at the media file server (in Griffiths reference, Fig. 2, Video Recorder-Server combination device 220; page 7, lines 11-17 disclose the storing of uploaded media files at the media server; this capability is also provided in the newly cited reference of Kang), except wherein the method further comprises uploading another media file from the one or more satellite units to the media server.

In the same field of endeavor, Kang shows and discloses the claimed wireless mobile computing device, wherein the method further comprises:  
uploading another media file from the one or more satellite units to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process); and  
storing the uploaded media file at the media file server (Fig. 1, File DB 150 used to store uploaded media files; paragraph 0023 describes the File DB in more details).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to upload another media file from the one or more satellite units to the media server, and to store the uploaded media file at the media file server, as taught by Kang, in the wireless mobile computing device of Naden, as



modified by Griffiths, so that the customers can access media content stored on the server from anywhere using their wireless mobile computing devices.

Consider **claim 57**, and **as it applies to claim 44 above**, Naden, as modified by Griffiths, discloses the claimed portable storage medium, including capability for storing the uploaded media file at the media file server (in Griffiths reference, Fig. 2, Video Recorder-Server combination device 220; page 7, lines 11-17 disclose the storing of uploaded media files at the media server; this capability is also provided in the newly cited reference of Kang), except wherein the method further comprises uploading another media file from the one or more satellite units to the media server.

In the same field of endeavor, Kang shows and discloses the claimed portable storage medium, wherein the method further comprises:  
uploading another media file from the one or more satellite units to the media server (Fig. 1, that shows an upload process for a media file (music video) in SMIL format from the user computer 100's web browser to the web server 140 and then to the streaming server 160 for storage in the file database 150; paragraph 0027 further discloses the details of an upload process); and  
storing the uploaded media file at the media file server (Fig. 1, File DB 150 used to store uploaded media files; paragraph 0023 describes the File DB in more details).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to upload another media file from the one or more satellite units to the media server, and to store the uploaded media file at the media file

server, as taught by Kang, in the wireless mobile computing device of Naden, as modified by Griffiths, so that the customers can access media content stored on the server from anywhere using their wireless mobile computing devices.

### ***Response to Arguments***

Applicant's arguments with respect to **claims 1-2, 4-11, 13-40 and 45** have been considered but are moot in view of the new ground(s) of rejection.

**New claims 46-53 have been cancelled**, because they are directed towards a **different invention** than the one presented by original claims 1-45. **Claims 54-57 are new claims** that require no response. The justification for rejecting claims 41-44 is provided below:

Consider **claims 41-44**. The applicants have argued that the combination of Naden and Griffiths, as well as the combination of Naden, Griffiths and Goldberg et al. do not disclose setting up one or more wireless communication channels between the media server, one or more satellite units, and a wireless mobile computing device. The examiner respectfully disagrees. Fig. 1 in Naden reference clearly shows a wireless channel set up between a Master STB 124 and Slave STB 116; whereas Fig. 3 shows a remote control interface 316 using wireless protocol 304, thereby disclosing setting up one or more wireless communication channels between the media server, one or more satellite units, and a wireless mobile computing device. Furthermore, Fig. 1 in Griffiths reference clearly shows wireless communication channels between handheld wireless device 112 and satellite devices 114-120 as well as between Controlling Central Server

130 and wireless phone device 150 and wireless handheld device 160. The applicants further argue that the central server 130 of Griffiths reference cannot be equated to a media server of their claims because it does not store media files. A central server distributing media should inherently be capable of storing media data it is distributing. Furthermore, Fig. 2 of Griffiths reference shows a combination Video Recorder-Server device 220 that is capable of storing media content being distributed. The examiner therefore submits that the cited references do adequately disclose all the elements of **claims 41-44, which therefore remain rejected.**

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents  
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Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kishin G. Belani whose telephone number is (571) 270-1768. The Examiner can normally be reached on Monday-Thursday from 6:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-0800.

Kishin G. Belani

K.G.B./kgb

March 25, 2008

/Kenny S Lin/  
Primary Examiner, Art Unit 2152